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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff(s),
v.
BRENNEN GEIRHETT CHASE,
Defendant(s).

Case No. 2:17-cr-00186-JAD-NJK
ORDER
(Docket No. 12)

On June 26, 2017, Defendant filed a notice of assertion of right regarding shackling. Docket No. 9. The notice relates to the issuance of the *en banc* decision in *United States v. Sanchez-Gomez*, ___ F.3d ___, 2017 WL 2346995 (9th Cir. May 31, 2017).¹ On June 29, 2017, the Government moved to strike that notice, arguing that it mischaracterizes the Ninth Circuit's decision. Docket No. 12. United States Magistrate Judge Carl W. Hoffman has already made a finding, based on Defendant's individual circumstances, that Defendant should appear in leg restraints after hearing arguments on the record. Docket No. 5. Accordingly, the motion to strike is **DENIED** as moot.

IT IS SO ORDERED

Dated: June 30, 2017



NANCY J. KOPPE
United States Magistrate Judge

¹ On June 16, 2017, the Ninth Circuit entered a 90-day stay of the issuance of the mandate.